

Application No.: 10/815,709

REMARKS

The indication of allowable subject matter in claims 16-19 and 21-24 is acknowledged and appreciated. In view of the following remarks, it is respectfully submitted that all claims are in condition for allowance.

Rejections under 35 U.S.C. § 102

In Section 6 of the Office Action, claim 15 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,111,796, issued to Chang et al. (hereafter "Chang"). The Examiner asserted that Chang anticipates all elements recited in claim 15, including the first tri-state buffer. Specifically, the Examiner points to the tri-state buffer within element 44 of Chang. The Applicants respectfully traverse the rejection.

According to the amended claim 15, the first tri-state buffer is "configured to receive data provided by the first main amplifier, for driving an output node of the first tri-state buffer according to the data." In contrast, the alleged tri-state buffer of Chang is configured merely to receive the common clock signal 45 of the delay adjust circuitry 40 and provide the secondary amp control signal 50 used to control the secondary amplifier 30 (*see* col. 6, lines 40-44). That is, the tri-state buffer disclosed by Chang is NOT "configured to receive data provided by the first main amplifier, for driving an output node of the first tri-state buffer according to the data" as recited in claim 15.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Chang does not anticipate claim 15, nor any

Application No.: 10/815,709

claim dependent thereon. Therefore, claim 15 is patentable. The Applicants respectfully request that the rejection of claim 15 under 35 U.S.C. § 102(b) be withdrawn.

In Section 7 of the Office Action, claim 20 has been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,484,271, issued to Gray (hereafter "Gray"). The Examiner asserted that Gray anticipates all elements recited in claim 20, including a first buffer and a second buffer. Specifically, the Examiner asserted that buffers 44 and 54 in Fig. 1 of Gray correspond to the first and second buffer of claim 20. The Applicants respectfully traverse the rejection.

The amended claim 20 recites, "a second buffer ... for receiving the same data as the first buffer." The Applicants respectfully point out that Gray does not disclose, teach, or suggest that buffers 44 and 54 receive the same data. In direct contrast, buffers 44 and 54 of Gray receive different data. This is illustrated in Fig. 1, in which buffer 44 and buffer 54 reside in different memory blocks. For example, the memory block where buffer 44 resides has "ce1" as one of the inputs. The memory block where buffer 54 resides has "ce2" as one of the inputs. In addition, the output of buffer 44 is coupled to the output of buffer 54 in parallel. Accordingly, buffer 44 and buffer 54 as disclosed in Gray receive different data.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Gray does not anticipate claim 20, nor any claim dependent thereon. Therefore, claim 20 is patentable. The Applicants respectfully request that the rejection of claim 20 under 35 U.S.C. § 102(b) be withdrawn.

Application No.: 10/815,709

Conclusion

Accordingly, it is believed that all pending claims are now in condition for allowance. Applicant therefore respectfully requests an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicant's representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

 #46,692
Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:llg
Facsimile: 202.756.8087
Date: November 8, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**